

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: JAMES S. MCCORMICK ET AL

SERIAL NO.: 10/670,257

FILED: September 26, 2003

FOR: METHOD AND APPARATUS FOR NETWORK
ELEMENT RESOURCE UTILIZATION TRACKING

GROUP ART UNIT: 2143

EXAMINER: J. Avellino

ATTY. REFERENCE: MCCO3001/BEU



COMMISSIONER OF PATENTS

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a communication/amendment in the above-identified application.

- ☐ Small entity status under 37 CFR 1.9 and 1.27 is claimed.
- ☒ No additional fee is required.

The fee, if any, has been calculated as shown below:

| Fee Basis | Number of Claims After Amendment | Highest Number Previously Paid For | Extra Claims | Small Entity | Full Fee |
|--------------------------------------------------------------------------------|----------------------------------|------------------------------------|----------------|--------------|------------|
| Total Claims | | - ¹ | = ³ | × \$ 25 = | × \$ 50 = |
| Independent Claims | | - ² | = ³ | × \$ 100 = | × \$ 210 = |
| <input type="checkbox"/> First Presentation of Proper Multiple Dependent Claim | | | | + \$ 180 = | + \$ 360 = |
| TOTAL | | | | | |

¹ If less than 20 enter 20.

² If less than 3 enter 3.

³ If less than 0 enter 0.

- ☐ Please charge my Deposit Account Number 02-0200 in the amount of \$ _____. A duplicate copy of this sheet is attached.
- ☐ A check in the amount of \$ _____ is attached.
- ☐ The Commissioner is hereby authorized to charge any additional fees associated with this communication, including fees due under 37 CFR 1.16 and 37 CFR 1.17 or credit any overpayment to Deposit Account Number 02-0200. A duplicate copy of this sheet is attached.
- ☐ Also enclosed is/are:

23364

Customer Number
Phone: (703) 683-0500

DATE: June 23, 2008

Respectfully submitted,

Benjamin E. Urcia
Attorney for Applicant
Registration Number: 33,805



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|----------------------------------------------|---|---------------------------------------------|
| In re U.S. Patent Application of: |) | Group Art Unit: 2143 |
| |) | |
| James Stewart McCORMICK <i>et al.</i> |) | Examiner: J. Avellino |
| |) | |
| Serial Number: 10/670,257 |) | <i>Attorney Docket:</i> MCCO3001/BEU |
| |) | |
| Filed: September 26, 2003 |) | <u>Confirmation No.:</u> 4907 |

For: Method and Apparatus for Network Element Resource Utilization Tracking

AMENDMENT AND RESPONSE

Honorable Commissioner For Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

Sir:

This paper is in response to the Official Action dated March 21, 2008.

Amendments to the claims begin on page 2.

Remarks/Arguments begin on page 13.